

## *St. Louis City Ordinance 63970*

FLOOR SUBSTITUTE

BOARD BILL NO. [96] 254

INTRODUCED BY ALDERMAN ALFRED WESSELS, JR.

An Ordinance authorizing and directing the Mayor and the Comptroller of the City of Saint Louis to execute, upon receipt of and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, a permanent, irrevocable Easement, which shall give, grant, extend and confer on Union Electric Company, its agents, successors, and assigns, the exclusive right to construct, operate, and maintain an electric telecommunication line, which Easement pertains to property in City Block 2034, and containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. The Mayor and Comptroller or the City of Saint Louis are hereby authorized and directed to execute a permanent, irrevocable Easement, which shall give, grant, extend and confer on Union Electric Company, its agents, successors, and assigns, the exclusive right to construct, operate, and maintain an electric telecommunication line, which Easement pertains to property in City Block 2034.

### SECTION TWO. EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS: That the City of Saint Louis, a municipal corporation of the State of Missouri, its successors and assigns whether one or more and whether an individual, individuals, a corporation, or other legal entity (hereinafter "Grantor"), for and in consideration of One Dollar (\$1.00) and other valuable consideration to it in hand paid by Union Electric Company, the receipt and sufficiency of which is hereby acknowledged, does hereby give, grant, extend, and confer onto Union Electric Company, a Missouri Corporation, its agents, successors, and assigns (hereinafter "Grantee"), the perpetual right and easement to construct, reconstruct, use, operate, maintain, add to the number of and patrol an electric, telecommunication line or lines consisting of poles, guys, anchors, wires, cables, conduits, transformers, and other appurtenances thereto, upon, over, across, and under the following described land, to-wit:

A twenty (20) foot wide strip of land being a part of Blocks 23 and 24 in Survey No. 2 of the Carondelet Commons in Block 2034 of the City of Saint

Louis, Missouri; said Blocks 23 and 24 also being a part of Carondelet Park in the City of Saint Louis, Missouri. Said twenty (20) foot wide strip of land is further indicated hachured on the drawing attached hereto marked "Exhibit A" and made a part hereof.

Along with all rights incidental to the exercise and enjoyment of said easement rights, including without limitation the right of ingress and egress to and over the above described easement area and premises of Grantor adjoining the same, for all purposes herein stated; together with the right at any time and from time to time, to trim and cut down any and all brush, saplings, trees and overhanging branches and remove same and/or any rocks or other obstructions upon over and under said easement area and the premises of Grantor adjoining the same, which in Grantee's judgement, interfere with the exercise and enjoyment of Grantee's rights hereunder, or endanger the safety of said lines; and the right to license, permit or otherwise agree to the use or occupancy of said easement or any portion thereof or said line or lines by any other person, association, or corporation for the purposes hereinabove set out; and with the further right at any time and from time to time, to remove any or all of the said line or lines, and appurtenances thereto located upon, over, across, and under said land by virtue hereof.

IN WITNESS WHEREOF, the said City of Saint Louis has caused these presents to be signed by its Comptroller and Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 1996.

BY: BY:

\_\_\_\_\_  
Freeman R. Bosley, Jr. Darlene Green  
Mayor Comptroller

ATTEST: Approved as to form:

\_\_\_\_\_  
Gladys Gray Thomas J. Ray  
City Register Deputy City Counselor

SECTION THREE. The passage of this ordinance being deemed necessary for the preservation of the public peace, health, and safety, it is hereby deemed to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of Saint Louis, and shall become effective upon its passage and approval by the Mayor.

Legislative History					
1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND	VOTE
11/01/96	11/01/96	PU			
2ND READING	FLOOR AMEND	FLOOR SUB	VOTE	PERFECTN	PASSAGE
12/06/96				12/13/96	12/20/96
ORDINANCE	VETOED		VETO OVR		EFFECTIVE
63970					